

YELLOWSTONE COUNTY SIGN CODE
[NOT PART OF THE UNIFIED ZONING CODE,
STAND ALONE FOR PROPERTY WITHIN THE 4 ½ MILE
COUNTY ZONING JURASDICTION ONLY]

ARTICLE X

SIGNS

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Sec. 1 INTENT

A. The purpose of this Article shall be to coordinate the type, placement and scale of signs within the different land-use zones to recognize the commercial communication requirements of all sections of the business community; to encourage the innovative use of design; to promote both renovation and property maintenance; to allow for special circumstances; and to guarantee equal treatment under the law. These shall be accomplished by regulation of the display, erection, use and maintenance of signs. The use of signs is regulated according to zoning district. The placement and scale of signs are regulated by type and length of street frontage. No sign shall be permitted as a main or accessory use except in accordance with the provisions of this Article.

B. This Article shall not relate to building design. Nor shall this Article regulate official traffic or government signs; the copy and message of signs; signs not intended to be viewed from a public right-of-way; window displays; product dispensers and point of purchase displays; scoreboards on athletic fields; flags of any nation, government or fraternal organization; gravestones; barber poles; religious symbols; or any display or construction not defined herein as a sign.

Thus, the primary intent of this Article shall be to regulate signs of a commercial nature intended to be viewed from any vehicular or pedestrian public right-of-way.

Sec. 2 DEFINITIONS

Words and phrases used in this Article have the meanings set forth in this section. Principles for computing sign area and sign height are contained in Section 3.

Animated Sign: Any sign that uses movement or change or lighting to depict action or create a special effect or scene.

Area of Sign: The entire area of a sign including the area within a perimeter which forms the outside shape including the frame, forming an integral part of the display, but excluding

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the necessary supports or uprights on which the sign may be placed. The frame of a sign may be excluded from the area where such frame conveys no message and is constructed or affixed for aesthetic reasons beyond the necessary supports.

For computing the areas of any wall or canopy sign which consists of letters mounted or painted on a wall or canopy, the area shall be deemed to be the area of the smallest rectangular figures which can encompass all of the letters. (See Section 3.04 for Calculation of sign area.)

Banner Sign: Any sign (other than an official flag) made of cloth, paper or fabric of any kind, which is used to attract attention, whether or not imprinted with words or characters.

Beacon: Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Billboard: A sign which advertises products or services not sold or distributed on the premises on which the sign is located.

Building Marker: Any sign indicating the name of a building, date or other incidental information about its construction. A sign which is cut into a masonry surface or made of bronze or other permanent material.

Canopy Sign: Any sign that is a part of or attached to any awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area, and which does not extend horizontally beyond the limits of the canopy.

Changeable Copy Sign: A sign whose informational content can be changed or altered by manual or electric, electro-mechanical or electronic means. Changeable signs include the following types:

1. **Manually Activated:** Signs whose alphabetic, pictographic or symbolic information content can be changed or altered by manual means.
2. **Electrically Activated:** Signs whose alphabetic, pictographic or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Includes the following two types:
 - a. **Fixed Message Electronic Signs:** Signs whose basic informational content has been pre-programmed to include only certain types of information projections, such as time, temperature, predictable traffic conditions or other events subject to prior programming.
 - b. **Computer controlled Variable Message Electronic Signs:** Signs whose informational content can be changed or altered by means of computer-driven electronic impulses.

Copy: The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic or alphabetic form.

Directional/Informational Sign: An on-premise sign giving directions, instructions or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exit and entrance signs. The sign may contain a logo provided that the logo may not comprise more than 20% of the total sign area.

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Director: The Planning Director of the County or his/her designee.

Flag: Any fabric, banner or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

Freestanding Sign: Any sign supported by structures or supports that are placed on or anchored in, the ground and that are independent from any building or other structure, including monument signs.

Government Sign: Any temporary or permanent sign erected and maintained by the city, county, state or federal government for traffic direction or for designation of or direction to any school, hospital, historical site or public service, property or facility.

Height of Sign: The vertical distance measured from the highest point of the sign to the crown of the adjacent street. This does not include the interstate highway.

Lot: Any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record, that is recognized and intended as a unit for the purpose of transfer or ownership.

Maintenance: For the purposes of this Resolution, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the structure of the sign.

Monument Sign: A sign mounted directly to the ground with maximum height not to exceed six (6) feet.

Nonconforming Sign: A sign which was erected legally, but does not comply with subsequently enacted sign restrictions and regulations.

Portable Sign: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs, designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

Principal Building: The building in which is conducted the principal use of the lot on which it is located. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages and other clearly accessory uses shall not be considered principal buildings.

Projecting Sign: A sign, other than a flat wall sign, which is attached to and projects from a building, wall or other structure not specifically designed to support the sign. Supports shall be covered in a neat and orderly fashion. Guy wire support shall be prohibited.

Roof Sign, Above-peak: Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

Roof Sign, Integral: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.

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Setback: The distance from the property line to the nearest part of the applicable building, structure or sign, measured perpendicularly to the property line.

Sign: Any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Sign Administrator: The Planning Director or his/her designee.

Street: A public way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place or however otherwise designated which has been dedicated to or acquired for public use and which extends the full width between right-of-way lines.

Street Frontage: The length of the property line of any one (1) premises along each public right-of-way it borders excluding alleys and serviceways.

Suspended Sign: A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Temporary Sign: A non-permanent sign erected and maintained for a specific limited period of time.

Wall Sign: Any sign attached parallel to a wall, painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface. Sign depth shall not exceed twenty-two (22) inches, measured from the face of the structure.

Wind Driven Sign: Any sign consisting of one (1) or a series of two (2) or more banners, flags, pennants, ribbons, spinners, streamers or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

Window Sign: Any sign, pictures, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

Sec. 3 GENERAL PROVISIONS

It shall hereafter be unlawful for any person to erect, place or maintain a sign in the Jurisdictional Area of Yellowstone County except in accordance with the provisions of this Article.

Sec. 3.02 Signs Prohibited

All signs not expressly permitted under this Article or exempt from regulation hereunder in accordance with the previous section are prohibited in the County. Such signs include, but are not limited to:

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- (a) Beacons;
- (b) Wind driven sign, except flags as defined in Section 2 of this Article;
- (c) Strings of lights not permanently mounted to a rigid background, except those exempt under Section 3.03.
- (d) Inflatable signs and tethered balloons;
- (e) All portable signs not specifically permitted under Section 4.05;
- (f) Animated signs;
- (g) All above-peak roof signs;
- (h) All banner signs except as permitted under Section 4.06;
- (i) Abandoned signs;
- (j) Signs attached to trees, telephone poles, public benches, streetlights or placed on any public property or public right-of-way; and
- (k) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said signs (this does not apply to allowed portable signs or to signs or lettering on buses, taxis or vehicles operating during the normal course of business).

Sec. 3.02 Permits Required

Unless otherwise provided by this Article, all signs shall require permits and payment of fees as described in Section 7 of this Article. No permit is required of the maintenance of a sign or for a change of copy on painted, printed or changeable copy sign. Prior to any structural maintenance, the sign owner or the sign contractor is required to apply for and obtain a permit and to notify the Sign Administrator for an inspection when the maintenance is complete.

Sec. 3.03 Signs Not Requiring Permits

The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this Article:

- (a) Construction signs of sixteen (16) square feet or less;
- (b) Special event or holiday lights or decorations;
- (c) Nameplates of two (2) square feet or less;
- (d) Public signs or notices, or any sign relating to an emergency;
- (e) Real estate signs;
- (f) Political signs;
- (g) Interior signs not visible from the exterior of the building;
- (h) Directional signs not to exceed twelve (12) square feet in area or six (6) feet in height; and

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- (i) Temporary signs for seasonal agricultural sales in the Agricultural Open Space (A-1) district only. Such signs shall not exceed sixteen (16) square feet and may only be erected for sixty (60) days. One (1) sign per use per calendar year shall be allowed.

Sec. 3.04 Calculation of Sign Area

The entire area within a single continuous perimeter enclosing the extreme limits of such sign and in no case passing through or between and adjacent elements of the same. Such perimeter shall not include any structural elements lying outside the limits of such sign which do not form any integral part of the display.

The gross area of a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two (2) identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure, the sign area shall be computed by the measurement of one on the faces.

For computing the area of any wall or canopy sign which consists of letters mounted or painted on a wall or canopy, the area shall be deemed to be the area of the smallest rectangular figures which can encompass all of the letters.

Sec. 3.05 Clear Vision Triangle

No sign shall be placed within any clear vision triangle as illustrated in Article IV, Section 8, figure 2 of these regulations.

Sec. 3.06 Maintenance

All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The Administrator shall have the right under Section 8.09 to order the repair or removal of any sign which is defective, damaged or substantially deteriorated, as defined in the Building Code.

[section 27-615 and section 27-618 of the Unified Zoning Code]

Sec. 3.07 Lighting

Unless otherwise prohibited by this Article, all signs may be illuminated.

Sec. 3.08 Changeable Copy

Unless otherwise specified by this Article, any sign herein allowed may use manual or fixed message electronic sign.

Computer controlled variable message electronic signs shall be permitted provided that the bottom of the message center is ten (10) feet above the crown of the adjacent road. Computer controlled variable message electronic signs shall be permitted only in Community Commercial (CC),

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Highway Commercial (HC), Controlled Industrial (CI) and Heavy Industrial (HI).

Sec. 3.09 Sign Contractor's License

No person may engage in the business or erecting, altering, relocating, constructing or maintaining signs without a valid contractor's licenses and all required state and federal licenses.

Sec. 3.10 Indemnification and Insurance

All persons involved in the maintenance, installation, alteration or relocation of signs shall agree to hold harmless and indemnify the County, its officers, agents and employees against any and all claims of negligence resulting from such work insofar as this Article has not specifically directed the placement of a sign.

All persons involved in the maintenance, installation, alteration or relocation of signs shall maintain all required insurance and shall file with the state and the county a current satisfactory certificate of insurance to indemnify the state and the county against any form of liability.

Sec. 4 REGULATION BY ZONE

In any zoning district no sign may be placed or designed so as to simulate or interfere with traffic control devices or official highway directional/informational signs.

Sec. 4.01 Signs Permitted in Residential Zones

These requirements apply to the following zoning districts: Agricultural Open Space (A-1), Agricultural Suburban (A-S), Residential 15,000 (R-15,000), Residential 9600 (R-9600), Residential 7000 (R-7000) and Residential 6000 (R-6000).

- (a) One non-illuminated sign for each street frontage of a construction project, not to exceed forty-eight (48) square feet in sign area. Such signs may be erected thirty (30) days prior to beginning of construction and shall be removed thirty (30) days following completion of construction.
- (b) One non-illuminated real estate sign per lot or premises not to exceed sixteen (16) square feet in sign area. Such signs must be removed fifteen (15) days following sale, rental or lease of the real estate involved.
- (c) One non-illuminated attached building nameplate per occupancy, not to exceed two (2) square feet in sign area.
- (d) One non-illuminated political sign not to exceed sixteen (16) square feet in sign area. Such signs shall not be erected more than forty-five (45) days prior to the election or referendum concerned and shall be removed ten (10) days following such election or referendum. Political signs may be placed only on private property and only with the permission of the property owner.

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- (e) One subdivision sign per street frontage not to exceed forty-eight (48) square feet in sign area in each location.
- (f) One identification sign per entrance to apartment or condominium complex, not to exceed forty-eight (48) square feet in sign area.
- (g) One ranch identification sign at each public entrance, not to exceed forty-eight (48) square feet in sign area or thirty-two (32) feet in height. This sign is permitted in the Agricultural Open Space (A-1) district only.
- (h) One temporary sign not to exceed thirty-two square feet in area or eight (8) feet in height for the sale of agricultural products produced on site. This shall be permitted in the Agricultural - Open Space (A-O) district only. Each sign may be erected for no more than sixty (60) days. A temporary sign permit shall be required.
- (i) For permitted non-commercial and non-residential uses such as schools, churches and synagogues, one freestanding sign, not to exceed forty-eight (48) square feet in sign area, and one wall sign not to exceed forty-eight (48) square feet in sign area.

Special regulations for residential zones are as follows:

- (j) All allowed freestanding signs, except permitted ranch signs, shall have a maximum height limit of six (6) feet and shall have a setback of fifteen (15) feet from the property line.

Sec. 4.02 Signs Permitted in Residential Professional (RP) and Neighborhood Commercial (NC) Zones.

Signs are allowed as follows in the Residential Professional (RP) and the Neighborhood Commercial (NC) zones:

- (a) All signs as permitted in Section 4.01.
- (b) The total square feet of all signs located on the property, including, but not limited to freestanding, wall, canopy, under canopy, and directional signs, shall not exceed two (2) square feet in sign area for each lineal foot of property frontage.
- (c) One freestanding sign or monument sign per street frontage not to exceed one (1) square foot in sign area for each lineal foot of property frontage on which the sign is place. Such signs may not exceed a height of twenty (20) feet. Maximum sign size is seventy-five (75) square feet.
- (d) One (1) wall sign, canopy or electric awning sign not to exceed fifteen (15) percent of the area of the building elevation on which the signs are installed.
- (e) One (1) under-canopy or wall sign for each separate occupancy or separate entrance not to exceed eight (8) square feet in sign area. Under-canopy signs must have a minimum clearance of nine (9) feet from the sidewalk.
- (f) Window signs shall not exceed fifteen (15) percent of the window area. This includes permanent and temporary window signs.
- (g) Directional/informational signs as required.

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Special regulations and allowances for Residential Professional (RP) and Neighborhood Commercial (NC) zones area as follows:

- (h) Where any occupancy is on a corner lot, a minimum clear vision zone is to be maintained in a triangulated area at the point of intersection to allow an unobstructed view of oncoming traffic.
- (i) Freestanding signs shall maintain a minimum clearance of ten (10) feet over any sidewalk and fourteen (14) feet over any parking lot, driveway or crown of the street, whichever is higher.
- (j) Minimum setback for the leading edge of the sign shall be five (5) inside the property line with a maximum height of ten (10) feet. For each additional foot the sign is setback the sign height may increase one (1) foot to a maximum of twenty (20) feet in height.

Sec. 4.03 Signs Permitted in Community Commercial (CC), Highway Commercial (HC), Controlled Industrial (CI) and Heavy Industrial (HI)

Signs are allowed as follows in Community Commercial (CC), Highway Commercial (HC), Controlled Industrial (CI) and Heavy Industrial (HI) zones:

- (a) All signs as permitted in Section 4.01 and 4.02.
- (b) The total square feet of all signs located on the property, including, but not limited to freestanding, wall, projecting, integrated roof, canopy, under-canopy, and directional signs, shall not exceed three (3) square feet in sign area for each lineal foot of property frontage.
- (c) One freestanding sign per street frontage not to exceed two (2) square feet of sign are for each lineal foot of property frontage on which the sign is place, with a maximum sign size of one hundred-fifty (150) square feet. The maximum sign height shall be twenty-four (24) feet. Where street frontage exceeds five hundred (500) feet, one additional freestanding sign may be allowed per five hundred (500) foot increment.
- (d) Minimum setback for the leading edge of the sign shall be five (5) inside the property line with a maximum height of ten (10) feet. For each additional foot the sign is setback the sign height may increase one and one-half (1-1/2) feet to a maximum of twenty-four (24) feet in height.
- (e) Wall signs shall not exceed twenty percent (20%) of the square footage of the wall area upon which they are installed. Canopy signs and electric awning signs shall not exceed twenty percent (20%) of the square footage of the wall area upon which they are installed (see Section 3.04 for sign area calculations). The combination of wall signs, canopy signs and electric awning signs shall not exceed the allowable square footage for the wall upon which they are placed.
- (f) Integrated roof signs may be used instead of wall signs. The integrated roof sign size shall not exceed the allowable size for a wall sign. Integrated roof signs shall be constructed so as to conceal all structures and fastenings. The height of the sign shall not exceed the roof to which it is attached.

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- (g) Window signs shall not exceed thirty (30) percent of the window area. This included permanent and temporary window signs.
- (h) Projecting signs may be used instead of any wall or freestanding signs provided they do not project beyond the property line and maintain a clearance of ten (10) feet over sidewalk and fourteen (14) feet over any parking lot, driveway or crown of the street, whichever is higher. Projecting sign size shall not exceed the allowable size of wall signs. The height of the sign shall not exceed the roof of the wall to which it is attached.
- (i) One (1) under-canopy sign or wall sign for each separate occupancy or separate entrance not to exceed eight (8) square feet in sign area. Under-canopy signs must have a minimum clearance of ten (10) feet over the sidewalk.
- (j) On-premises directional signs as required

Sec. 4.04 Signs Permitted in the Interstate Corridor

Signs are allowed as follows in the Interstate Corridor.

- (a) All signs as permitted in Sections 4.01, 4.02 and 4.03.
- (b) The total square feet of all signs located on the property, including, but not limited to freestanding, wall, projecting, integrated roof, canopy, under-canopy, and directional signs, shall not exceed three (3) square feet in sign area for each lineal foot of property frontage. This frontage shall be calculated using local streets, not the interstate highway.
- (c) Freestanding signs within the Interstate Corridor may be installed to a height of forty (40) feet and may be a maximum of three hundred-fifty (350) square feet if the principal purpose of such signs is to address interstate traffic.
- (d) Minimum setback for the leading edge of the sign shall be five (5) feet inside the property line with a maximum height of ten (10) feet. For each additional foot the sign is setback the sign height may increase one and one-half (1-1/2) feet to a maximum of forty (40) feet, if it is a freestanding sign addressing interstate traffic or twenty-four (24) feet for all other freestanding signs.
- (e) Freestanding signs which do not address interstate traffic must comply with the requirements for the zoning districts as outlined in Sections 4.01, 4.02 and 4.03.

Sec. 4.05 Shopping Center Signs

Shopping Center signs shall be allowed in the following zoning districts: Community Commercial (CC), Highway Commercial (HC), Controlled Industrial (CI) and Heavy Industrial (HI). Shopping Center signs may not be used in conjunction with a Common Signage Plan.

- (a) Shopping Centers shall be allowed one (1) freestanding directory sign per frontage. The sign may be one hundred-fifty (150) square feet plus five percent (5%) of the one hundred-fifty (150) square feet per tenant. Maximum sign size shall not exceed three hundred-fifty (350) square feet or the allowable square footage for the frontage on which the sign is installed.

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The setback requirements in Section 4.03 (d) shall apply.

Sec. 4.06 Billboards

- (a) Billboards shall be permitted in the Interstate Corridor (660 feet either side of the right-of-way of the Interstate Highway) on properties zoned CC, HC, CI or HI as follows:
1. Billboards located within the Interstate Corridor shall have a maximum size of six hundred (600) square feet in size and shall be no more than forty (40) feet in height.
 2. Minimum distance between billboards shall five hundred (500) feet.
 3. Lighting shall be designed to minimize glare and interference with any adjacent residential uses or traffic.

Billboards not located in the interstate corridor are allowed as indicated below.

- (b) Billboards shall be permitted in Highway Commercial (HC) as follows:
1. Billboards shall be a maximum of three hundred (300) square feet in size and a maximum of thirty (30) feet in height.
 2. Minimum distance between billboards shall be seven hundred (700) feet.
 3. Lighting shall be designed to minimize glare and interference with any adjacent residential uses or traffic.
- (c) Billboards shall be permitted in Community Commercial (CC) as follows:
1. Billboards shall be a maximum of two hundred eighty-eight (288) square feet in size and a maximum of thirty (30) feet in height.
 2. Minimum distance between billboards shall be seven hundred fifty (750) feet.
 3. Lighting shall be designed to minimize glare and interference with any adjacent residential uses or traffic.
- (d) Billboards shall be permitted in Controlled Industrial (CI) and Heavy Industrial (HI) as follows:
1. Billboards shall be a maximum of three hundred seventy-eight (378) square feet in size and a maximum of forty (40) feet in height.
 2. Minimum distance between billboards shall be five hundred fifty (500) feet.
 3. Lighting shall be designed to minimize glare and interference with any adjacent residential uses or traffic.

Sec. 4.05 Temporary Signs

Temporary Sign Permits: Temporary signs shall be allowed on private property only upon issuance of a Temporary Sign Permit, which shall be subject to the following requirements:

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- (a) Term: A temporary sign permit shall allow the use of a temporary sign for new businesses or to existing businesses which are relocating and shall be limited in use to one (1) time for no more than sixty (60) days.
- (b) Number: Only one (1) temporary sign permit shall be issued to the same business license holder on the same lot in any calendar year.
- (c) Other Conditions: A Temporary sign shall be allowed only NC, CC, HC, CI, and HI zoning districts.

Sec. 4.06 Banner Signs

Permits for Banner Signs in the Public Right-of-Way: Permits for banner signs in the public right-of-way shall be issued in accordance with the following conditions:

- (a) Application: A banner sign application, which has been signed and approved by the owners of all private property to which the sign will be affixed, shall be submitted.
 - 1. The banner sign application must be submitted to and approved by the Director prior to placement of the banner sign.
 - 2. Application for a banner sign may not be submitted earlier than six (6) months prior to the date when the sign will first be displayed.
- (b) Term and Number of Permits: The maximum time during which any banner sign may be displayed is thirty (30) days. One permit shall cover a maximum of five (5) banners and locations.
- (c) Message and Symbols on Banner Signs: Message and symbols are limited to public service messages with no commercial advertising of any nature appearing on the banner. This shall not preclude the identification of an event sponsor provided that such identification shall not occupy more than fifteen percent (15%) of the area of the banner.
- (d) Size of Banner Signs: The maximum allowable size of a banner sign is three (3) feet by twenty (20) feet.
- (e) Banner signs are permitted in the NC, CC, HC, CI and HI zoning districts.
- (f) Other Conditions: The County may require the applicant to indemnify the County and to provide insurance covering any liability that may occur as a result of placement of the banner sign.

Sec. 5 COMMON SIGNAGE PLAN

- (a) Common Signage Plan: If the owners of two or more contiguous or adjacent (disregarding intervening streets and alleys) lots or the owner of a single lot with more than one building (excluding accessory buildings) or multiple use buildings, file with the Director for such lots

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a Common Signage Plan conforming with the provisions of this section, a twenty-five (25) percent increase in the maximum total sign area shall be allowed for each included lot. This bonus shall be allocated within each lot as the owner(s) elects.

(b) Provisions of Common Signage Plan: The Common Signage Plan shall contain all of the following information:

1. An accurate plot plan of the lot, at such scale as the Director may reasonably require;
2. Location of buildings, parking lots, driveways, clear vision triangles and landscaped areas on such lot;
3. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the lot(s) included in the plan under this Article; and
4. An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not.
5. Window signs may simply indicate the areas of the windows to be covered by window signs and the general type of the window signs (e.g., paper affixed to window, painted, etched on glass or some other material hung inside the window) and need not specify the exact dimension or nature of every window sign.

and shall also specify standards of consistency among all signs on the lots affected by the Plan with regard to:

1. Color scheme;
2. Letter or graphic style;
3. Lighting;
4. Location of each sign on the buildings;
5. Material; and
6. Sign proportions.

The above criteria does not apply to registered trademarks or established logos.

- (c) Limit on Number of Freestanding Signs Under Common Signage Plan: The Common Signage Plan, for all lots with multiple uses or multiple users, shall limit the number of freestanding signs to a total of one for each street on which the lots included in the plan have frontage and shall provide for shared or common usage of such signs.
- (d) Other Provisions of the Common Signage Plan: The Common signage Plan may contain other restrictions as the owners of the lots may reasonably determine.
- (e) Consent: Common signage Plan shall be signed by all owners or their authorized agents in such form as the Director shall require.
- (f) Procedures: Common Signage Plan shall be included in any development plan, site plan, planned unit development or other official plan required by the County for the proposed development and shall be processed simultaneously with such other plan.

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- (g) Amendment: Common Signage Plan may be amended by filing a new or Common Signage Plan that conforms with all requirements of the Resolution then in effect.
- (h) Existing Signs Not conforming to Common Signage Plan: If any new or amended Common Signage Plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, within five (5) years all signs not conforming to the proposed amended plan or to the requirements of this Resolution effect on the date of submission.
- (i) Binding Effect: After approval of a Common Signage Plan, no sign shall be erected, placed, painted or maintained, except in conformance with such plan, and such may be enforced in the same way as any provision of this Resolution. The Common Signage Plan may be dissolved at the request of the parties involved. Once the Common Signage Plan is dissolved all signage for the development must be brought into compliance with the provisions this Article within thirty (30) days of dissolution of the Common Signage Plan. In case of any conflict between the provisions of this Resolution and Common Signage Plan, the Resolution shall control.

Sec. 6 NONCONFORMING SIGNS

Sec. 6.01 Determination of Legal Nonconformity

Existing signs which do not conform to the specific provisions of this Article may be eligible for the designation "legal nonconforming" provided that:

- (a) The Administrator determines such signs are properly maintained and do not in any way endanger the public.
- (b) The sign was installed in conformance with a valid permit or variance, or complied with all applicable laws on the date of adoption of this Resolution.
- (c) The sign owner registers the sign with the Administrator within six (6) months of the adoption of this Resolution. If the owner fails to register the nonconforming sign with the Administrator, the sign then must be brought into compliance with this Article.

Sec. 6.02 Loss of Legal Nonconforming Status

A legal nonconforming sign may lose this designation if;

- (a) The sign is relocated or replaced.
- (b) The structure or size of this sign is altered in any way except toward compliance with this Article. This does not refer to change of copy or normal maintenance.

Sec. 6.03 Maintenance and Repair of Nonconforming Signs

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The legal nonconforming sign is subject to all requirements of this Article regarding, safety, maintenance and repair. However, if the sign suffers more than fifty (50) percent damage or deterioration, as based on appraisal, it must be brought into conformance with this Article or removed. The Yellowstone County Appraisers Office appraisal shall be used. If the sign owner does not agree with the County's appraisal of the sign, he/she may then obtain a third party appraisal from a certified appraiser at his/her own expense.

Sec. 7 CONSTRUCTION SPECIFICATIONS

Sec. 7.01 Construction Specifications

- (a) All signs shall be installed in compliance with the Uniform Building Code (UBC) and the National Electric Code (NEC).
- (b) All electrical freestanding signs, except billboards, must have underground electrical service to such signs.

Sec. 8 ADMINISTRATION AND ENFORCEMENT

Sec. 8.01 Sign Administrator

The Administrator shall be the Planning Director or his/her appointee and is authorized to process applications for permits and variances, hold public hearing as required, and enforce and carry out all provisions of this Article. The Administrator is authorized to promulgate regulations and procedures consistent with this function.

The Administrator is empowered, upon presentation of proper credentials, to enter or inspect any building, structure or premises in the County for the purpose of inspection of a sign and its structural and electrical connections to ensure compliance with all applicable laws and regulations. Such inspections shall be carried out during business hours unless an emergency exists.

Sec. 8.02 Applications for Permits

Applications for a permit for the erection, relocation or structural repair of a sign shall be made to the Administrator upon a form provided by the Administrator and shall include, but not be limited to, the following information:

- (a) Name and address of the owner of the sign.
- (b) Street address or location of the property on which the sign is to be located, along with the name and address of the property owner.
- (c) The name, address and license number of the sign contractor installing the sign.
- (d) The type of sign or sign structure as defined in this Article.

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- (e) A site plan with measurements showing the proposed location of the signs along with the locations of all existing signs on the same premises.
- (f) Specifications and drawings showing the materials, design, dimensions, structural supports and electrical components of the proposed sign.

Sec. 8.03 Permit Fees

All applications for permits filed with the Administrator shall be accompanied by a payment of the initial permit fee for each sign as established by Resolution by the Yellowstone County Board of County Commissioners. Said permit fee may be revised from time to time by resolution and approval of the Yellowstone County Board of County Commissioners.

Sec. 8.04 Issuance and Denial

The Administrator shall issue a permit and permit sticker or tag for the erection, structural alteration or relocation of a sign within ten (10) working days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the County. In all applications where a matter of interpretation arises, the more specific definition or higher standard shall prevail.

When a permit is denied, the Administrator shall within ten (10) working days, provide a written notice to the applicant along with a statement of the reasons for denial, citing sections of this Article and interpretation of possible nonconformity. The Administrator may suspend or revoke an issued permit for any false statement or misrepresentation of facts in the application.

Sec. 8.05 Permit Condition, Refunds, and Penalties

If a permit is denied, the permit fee will be refunded to the applicant.

A permit is valid for ninety (90) days upon issuance of the permit. A one (1) time extension for sixty (60) days may be granted by the Administrator, provided that the written request for the extension is made prior to the expiration date of the issued permit.

If any sign is installed or placed on any property prior to receipt of a permit, the specified permit fee shall be doubled. However, payment of the doubled fee shall not relieve any person or any other requirements or penalties prescribed in this Article.

Sec. 8.06 Inspection Upon Completion

Any person installing, structurally altering or relocating a sign for which a permit has been issued shall notify the Administrator upon completion of the work. The Administrator may require a final inspection, including an electrical inspection and inspection of footings on freestanding signs.

The Administrator may require at the time of issuance of a permit written notification for an inspection be submitted prior to the installation of certain signs.

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Sec. 8.07 Variances

All variances shall follow the procedure as outlined in Article V, Section 7 of the Yellowstone County Zoning Regulations.

[Section 27-1511 Unified Zoning Regulations]

Sec. 8.08 Violations

When, in the opinion of the Administrator, a violation of this Article exists, the Administrator shall issue a written notice to the alleged violator. The notice shall specify those sections which the individual may be in violation of, and shall state that the individual has fourteen (14) days from the date of the order in which to correct the alleged violation.

If, upon, inspection, the Administrator finds a sign is abandoned or structurally, materially or electrically defective, or in any way endangers the public, the Administrator shall issue a written notice to the owner of the sign and the occupant of the premises stating the nature of the violation and requiring them to repair or remove the sign within fourteen (14) days of the date of the notice.

In cases of emergency, the Administrator may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner must present a hazard to the public safety as defined in the local building or traffic codes.

Sec. 8.09 Removal of Signs By The Administrator

The Administrator may cause the removal of an illegal sign in cases of emergency, or for failure to comply with the written orders of removal or repair. After removal or demolition of the sign, a notice shall be mailed to the sign owner stating the nature of the work and the date on which it was performed and demanding payment of the costs as certified by the Administrator.

If the amount specified in the notice is not paid within thirty (30) days of the notice, it shall become an assessment upon a lien against the property of the sign owner, and will be certified as an assessment against the property together with 1.5 percent per month penalty for collection in the same manner as the real estate taxes.

The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the Administrator, as in the case of a leased sign.

For purposes of removal, the definition of sign shall include all sign embellishments and structures designed specifically to support the sign.

Sec. 8.10 Penalties

Any person who fails to comply with the provisions of this Resolution may be subject to penalties as outlined in Article XI, Section 3 of the Yellowstone County Zoning Regulations.

[Section 27-1604 Unified Zoning Regulations]